

COURT OF APPEALS
DIVISION TWO
OF THE STATE OF WASHINGTON

FILED
COURT OF APPEALS
DIVISION II

2022 FEB 28 PM 1:53

STATE OF WASHINGTON

BY _____
DEPUTY

STATE OF WASHINGTON

Respondent,

v.

Michael Frank Woods

(your name)

Appellant.

No. 55866-1-11

STATEMENT OF ADDITIONAL
GROUND FOR REVIEW

I, Michael Woods, have received and reviewed the opening brief prepared by my attorney. Summarized below are the additional grounds for review that are not addressed in that brief. I understand the Court will review this Statement of Additional Grounds for Review when my appeal is considered on the merits.

Additional Ground 1

On 10-20-2020 Attorney Morrisson filed "Defendants Declaration of Omnibus Compliance". I had explained several times with Attorney Morrisson that I was using Self-Defense in both cases pending against me As was the one who was Assaulted. I explained I had witnesses to this Defense, and that I had went to the Emergency Room after the incident and have supporting documents. She chose not to file the proper Self-Defense and chose General Denial which makes her ineffective and subject to a Malpractice lawsuit and shows Deliberate Indifference to my case. She did this without my permission or Knowledge (Omnibus Document included)

Additional Ground 2

I informed Attorney Morrisson that the Defendants Criminal History was incorrect prior to sentencing. She did not investigate. Ineffective assistance of Counsel.

(Defendants Criminal History)
Included

If there are additional grounds, a brief summary is attached to this statement.

Date:

1-25-22

Signature:

Michael F. Woods

FILED
SUPERIOR COURT

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COWLITZ CO. CLERK
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20-1-00435-08
CSCRM 22
Cover Sheet for Criminal History
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SUPERIOR COURT OF WASHINGTON FOR COWLITZ COUNTY

STATE OF WASHINGTON

Plaintiff,

vs.

MICHAEL FRANK WOODS,

Defendant.

No. 20-1-00435-08

AMENDED
PROSECUTOR'S STATEMENT OF
DEFENDANT'S CRIMINAL HISTORY

Crime	Sentencing Date	Adult / Juv.	Date of Crime	Jurisdiction	Cause Number
ESCAPE 1 (JRA)	12-14-1983	J	10-13-1983	CLARK CO., WA	
VUCSA - POSS (N/A; State v. Blake)	03-01-1989	A	12-31-1988	CLARK CO., WA	89-1-00017-2
VUCSA - POSS (N/A; State v. Blake)	08-25-1988	A	04-26-1988	CLARK CO., WA	88-1-00756-0
ESCAPE 2 (13 MO PRISON)	12-06-1990	A	04-26-1990	COWLITZ CO., WA	90-1-00279-6
VUCSA - POSS (N/A; State v. Blake)	07-28-1994	A	05-26-1994	CLARK CO., WA	94-1-00655-0
POSS STOL PROP 2	12-23-1994	A	01-19-1995	CLARK CO., WA	94-1-01693-4
POSS STOL PROP 2	10-18-1995	A	02-21-1995	CLARK CO., WA	95-1-01746-1

STATEMENT OF DEFENDANT'S CRIMINAL
HISTORY - 1

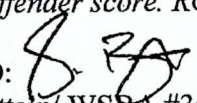
Cowlitz County Prosecuting Attorney
312 SW 1st Ave
Kelso, WA 98626
Telephone (360) 577-3080

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THEFT 1 (20 MO PRISON)	01-22-1998	A	04-03-1997	CLARK CO., WA	97-1-01086-1
VUCSA - POSS (N/A; <i>State v. Blake</i>)	01-07-2002	A	09-26-2001	CLATSOP CO., OR	011244
INTIMIDATE WITNESS/THREATENED FORCE(4 YEARS PRISON)(PAROLED 09/22/2005)	12-02-2002	A	08-28-2002	DOUGLAS CO., WI	2002CF000204
VUCSA - DEL METH (45 MO PRISON BASED DOSA) (45 MO COMM CUSTODY)(REL PRISON 03/10/09)	08-08-2006	A	03-21-2006	COWLITZ CO., WA	06-1-00556-0
VUCSA - DEL METH	12-13-2011	A	05-25-2011	COWLITZ CO., WA	11-1-01026-8
VUCSA - DEL METH	12-13-2011	A	06-03-2011	COWLITZ CO., WA	11-1-01026-8
VUCSA - DEL METH (60 MO PRISON) (REL PRISON 09/12/14) (REL WORK REL 02/10/2015) (VNCO 9/10/19 Kelso Muni Ct. #9Z0891173)	12-13-2011	A	06-23-2011	COWLITZ CO., WA	11-1-01026-8
PENDING: COWLITZ COUNTY SUPERIOR COURT CAUSE NUMBER 19-1-01316-08 ASSAULT 2 DV <u>PRIOR DV HISTORY - INFORMATIONAL ONLY</u> 05/17/1999, VIOLATION OF A NO CONTACT ORDER - DV, 259875, CLARK CO., CCSO 09/28/2001, ASSAULT 4 - DV, C00105423, CITY OF LONGVIEW, COWLITZ CO.					

*Prior convictions counted as one offense in determining the offender score. RCW 9.94A.525(5)(a)(i).

DATE: 03/09/2021

SIGNED: 
Sean Brittain/ WSBA #36804
Deputy Prosecuting Attorney

1 conviction 1st not 2 different convictions

IN THE SUPERIOR COURT OF WASHINGTON
IN AND FOR COWLITZ COUNTY

STATE OF WASHINGTON

Plaintiff,

v.

MICHAEL FRANK WOODS,

Defendant.

NO. 20-1-00435-08

OMNIBUS ORDER

1. DISCOVERY STIPULATION: The State, represented by the undersigned deputy prosecuting attorney, and the defendant, represented by the undersigned attorney, except for any disputed motions and/or other matters noted below in Section #5, hereby stipulate that both parties have complied with, and will continue to comply with, the discovery checklists set forth in CrR 4.5 consistent with the requirements of CrR 4.7.

2. THE DEFENDANT GIVES THE FOLLOWING NOTICE:

a. The defendant will assert the following defenses at trial:

☒ General Denial ☐ Alibi ☐ Self Defense/Defense of Others

☐ Insanity ☐ Diminished Capacity ☐ Intoxication

☐ Entrapment ☐ Others: _____

b. ☐ The defendant stipulates to the following prior convictions:

3. THE PROSECUTION GIVES THE FOLLOWING NOTICE:

☒ The State has filed and served "Prosecutor's Statement of Criminal History."

☐ The State intends to use the following prior convictions to impeach the defendant pursuant to ER 609:

☒ State will rely on prior acts pursuant to ER 404(b). State will provide notice of specific acts by:
2 weeks of scheduled trial date

☐ There is evidence in the plaintiff's possession favorable to the defendant on the issue of guilt, and it has been disclosed.

☐ Child hearsay (RCW 9A.44.120) exists. The State intends to offer at trial statements of

☐ An informant was involved and

☐ will/ ☐ will not be a witness at trial.

☐ State invokes informant privilege.

☐ Name of Informant: _____.

4. Each party will provide the other party with a formal witness list, and file a copy with the court, no later than 14 days prior to trial.

5. Motions brought under CrR 3.6 and CrR 8.3 (b) or (c), as well as memoranda in support of the motion, must be filed, served, and noted for hearing no later than 14 business days prior to trial. Any response to the motion is due five days following service of the motion and supporting memorandum.

6. DISPUTED ITEMS, MOTIONS, AND HEARINGS REQUESTED:

☒ CrR 3.5 ☐ CrR 3.6 ☐ Suppress ID ☐ Child Hearsay

☐ Motion to Dismiss, grounds: _____

☐ Discovery Issues: _____

☐ Motions in Limine (include expected length of hearing):

☐ Other: _____

7. The trial in this matter should last about 2 days.

8. ☐ This matter requires interpreters. The attorney for the defendant must advise court administration no later than two weeks prior to trial of the need for interpreters at trial.

9. The attorney for the defendant and the deputy prosecuting attorney shall appear before the Court on the Thursday Criminal Calendar the week before trial.

10. Other Matters:

11. OMNIBUS COMPLIANCE DEADLINE: One week after entry of this order or _____. Both parties shall complete discovery, including names, and all required information pertaining to witnesses (including conviction data for witnesses), by this deadline date.

12. _____

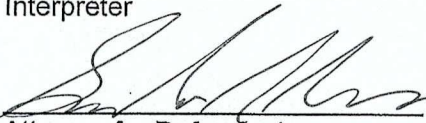
13. I, _____, the defendant in this matter, do hereby certify under penalty of perjury of the laws of the State of Washington that I have reviewed this omnibus order with my attorney and I understand its contents. I hereby consent to the court accepting this order without the need for a formal hearing and without my presence based upon this certification.

Defendant

Interpreter Declaration: I am a certified or registered interpreter, or have been found otherwise qualified by the court to interpret in the _____ language, which the defendant understands. I have translated this document for the defendant from English into that language. I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.


Signed at (city) _____, (state) _____, on (date) _____

Interpreter



Attorney for Defendant
WSBA # 55147

Print Name



Deputy Prosecuting Attorney
WSBA # 3881

APPROVED this _____ day of _____, 20_____.

Judge

① Trial Transcript

↓ Additional Ground 3

✓
3
2
1
→

Page 49 in the trial transcripts the Court says "I'm just trying to run through this case as quickly as I can". I -- I have to say, just as a matter of course, that I don't -- as old as this case is, I feel like a ~~lot~~ of these these things are probably better off resolved prior to the day of trial when a jury is sitting and waiting in the wings, just for future reference.

My Attorneys, Ms. Morrisson and Mr. Maher ~~have~~ have requested A Continuance to Argue ~~the~~ and gather more info on my self Defense Issue.

Trial Transcript

Page 53 Lines ⁴⁻⁵ A Request to continue was obviously Denied

Pg 53 Lines 6 - It appears that the Courts are more worried about other trials in the near future than the one Right Now where my freedom and liberties are on the table with my Attorneys not being prepared.

A mistrial should have been Declared to preserve my rights to a fair trial

②

3. Pg 54 lines 17-25 Pg 55 lines 1-

Atty's Morrison, Maher and I went to the other room and ~~the~~ Ms. Morrison and I had a heated argument in front of Atty Maher about Atty Morrison not spending even 10 minutes time with me prior to the start of this trial to discuss my trial tactics the self defense I have claimed from the very beginning. I told Atty Morrison I had doctor/Emergency Room visit that showed I had been assaulted prior to my being arrested for the FVNCQ, Police had been to ER when I arrived for treatment. I have claimed Self Defense from the start. Ms. Morrison had never shared the Discovery with me or even anything about my case at all except to call me twice to offer me a 60 month plea bargain, for my girlfriend beating me up.

Pg 55 lines 23-25 Clearly my rights were violated by my Attorney not being prepared stated twice - Move For Mistrial should have been requested.

③

Pg 56 lines 11-14

The Judge was clearly stating that she was making a time limit on the Voir dire process in return making my Atty haveing to hurry the process or cut her questions short for the courts benefit of timeframe